

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LACY-ANN PIIPPO,	Plaintiff,	Case No. 24-10618
v.		Honorable Shalina D. Kumar
ERIC BLUBAUGH et al.,	Defendants.	Magistrate Judge Anthony P. Patti

ORDER ADOPTING THE REPORT AND RECOMMENDATION (ECF NO. 11), AND DISMISSING PLAINTIFF’S COMPLAINT (ECF NO. 1)

Plaintiff Lacy-Ann Piippo (“Piippo”), proceeding *pro se*, sued the Honorable Eric Blubaugh, Jill Sadler, and Douglas Mitchell, alleging violations of her constitutional rights arising out of a probate case in Chippewa County Michigan. ECF No. 1. This case was referred to the magistrate judge for all pretrial matters pursuant to 28 U.S.C. § 636(b). ECF No. 7. On April 24, 2025, the assigned magistrate judge issued a Report and Recommendation (“R&R”). ECF No. 11. The R&R recommends that the Court dismiss Piippo’s complaint for failure to prosecute. *Id.*

Piippo did not file an objection to the R&R, and the time to do so has expired. See Fed. R. Civ. P. 72(b)(2). The failure to file a timely objection to

an R&R constitutes a waiver of the right for further judicial review. See *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusion, under a *de novo* or any other standard, when neither party objects to those findings.”); *Smith v. Detroit Fed’n of Teachers*, 829 F.2d 1370, 1373-1374 (6th Cir. 1987) (failure to file objection to R&R “waived subsequent review of the matter”); *Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (“As to the part of the report and recommendation to which no party has objected, the Court need not conduct a review by any standard.”). However, there is some authority that a district court is required to review the R&R for clear error. See Fed. R. Civ. P. 72 Advisory Committee Note Subdivision (b) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). Thus, the Court has reviewed the R&R for clear error and finds none.

Accordingly, the Court **ADOPTS** the R&R (ECF No. 11), and Piippo’s complaint is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b) and E.D. Mich. LR 42.1. This case is now closed.

IT IS SO ORDERED.

Dated: May 29, 2025

s/Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge